

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

NETLIST, INC.,

Plaintiff,

VS.

Civil Action No. 22-cv-293-JRG

SAMSUNG ELECTRONICS CO., LTD.,  
SAMSUNG ELECTRONICS AMERICA,  
INC., SAMSUNG SEMICONDUCTOR,  
INC.,

JURY TRIAL DEMANDED

INC.,

Defendants.

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**DECLARATION OF JASON G. SHEASBY IN SUPPORT OF NETLIST INC.'S  
OPPOSITION TO DEFENDANTS' MOTION TO SEVER, STAY, OR  
CONSOLIDATE (Dkt. 20)**

**I, Jason G. Sheasby, declare as follows:**

1. I am an attorney at the law firm of Irell & Manella LLP, counsel of record for Plaintiff Netlist, Inc. (“Netlist”) in the above-captioned action. I am a member in good standing of the State Bar of California and have been admitted to practice *pro hac vice* before this Court in this action. I provide this declaration in support of Netlist’s Opposition to Defendants’ Motion to Sever, Stay, or Consolidate (Dkt. 20). I have personal knowledge of the facts stated herein, and could and would testify completely thereto if called as a witness in this matter.

2. Attached as **Exhibit 1** is a true and correct copy of the Joint Development and License Agreement by and between Netlist, Inc. and Samsung Electronics, Co., Ltd.

3. Attached as **Exhibit 2** is a true and correct copy of the Court’s Order re: Motions for Summary Judgment and Related Applications from *Netlist Inc. v. Samsung Elecs. Co., Ltd.*, Case No. 8:20-cv-993-MCS (C.D. Cal. Oct. 14, 2021).

4. Attached as **Exhibit 3** is a true and correct copy of the Court’s Order on Google’s Motion to Strike, Google and Netlist’s Respective Motions for Summary Judgment, and Google’s Motion to Amend from *Netlist, Inc. v. Google LLC*, Case No. 4:09-cv-5718, Dkt. 258 (N.D. Cal. May 5, 2022).

5. Attached as **Exhibit 4** is a true and correct copy of an email from counsel for Samsung to counsel for Netlist, dated August 24, 2022.

6. Attached as **Exhibit 5** is a true and correct copy of the Court’s Order Denying Netlist’s Motion for Leave to Amend and Granting in part Google’s Motion to Stay from *Netlist, Inc. v. Google LLC*, Case No. 4:09-cv-5718, Dkt. 325 (N.D. Cal. May 5, 2022).

7. Attached as **Exhibit 6** is a true and correct copy of the Joint Motion, Stipulation, and Proposed Order from *Netlist, Inc. v. Google LLC*, Case No. 4:09-cv-5718, Dkt. 335 (N.D. Cal. Oct. 4, 2022).

8. Attached as **Exhibit 7** is a true and correct copy of Netlist's First Amended Complaint from *Netlist Inc. v. Samsung Elecs. Co., Ltd.*, Case No. 2:21-cv-463, Dkt. 23 (E.D. Tex. May 3, 2022).

9. Attached as **Exhibit 8** is a true and correct copy of the Opening Brief in support of Netlist's Motion to Dismiss from *Samsung Elecs. Co. v. Netlist, Inc.*, Case No. 21-1453-RGA, Dkt. 25 (D. Del., Feb. 16, 2022).

10. Attached as **Exhibit 9** is a true and correct copy of Google's Motion to Stay from *Netlist, Inc. v. Google LLC*, Case No. 4:09-cv-5718, Dkt. 292 (N.D. Cal. June 3, 2022).

11. Attached as **Exhibit 10** is a true and correct copy of the Court's Memorandum Opinion from *Samsung Elecs. Co., Ltd. v. Netlist, Inc.*, No. 21-cv-1453-RGA, Dkt. 37 (D. Del. Aug. 1, 2022).

12. Attached as **Exhibit 11** is a true and correct copy of the Court's Order denying Samsung's Motion for Reconsideration from *Netlist, Inc. v. Samsung Elecs. Co.*, Case No. 8:20-cv-993, Dkt. 215 (C.D. Cal. Oct. 27, 2021).

13. Attached as **Exhibit 12** is a true and correct copy of Samsung's Authorized Reply to Netlist's Preliminary Response from IPR2022-00639.

14. Attached as **Exhibit 13** is a true and correct copy of the Court's Order for Entry of Judgment from *Netlist, Inc. v. Samsung Elecs. Co.*, Case No. 8:20-cv-993, Dkt. 305 (C.D. Cal. Feb. 15, 2022).

15. Attached as **Exhibit 14** is a true and correct copy of Samsung's Motion to Sever and Stay Patents at Issue in Delaware from *Netlist, Inc. v. Samsung Elecs. Co.*, Case No. 2:21-cv-463, Dkt. 26 (E.D. Tex., May 27, 2022).

16. Attached as **Exhibit 15** is a true and correct copy of the Docket Control Order for *Netlist, Inc. v. Samsung Elecs. Co.*, Case No. 2:21-cv-463, Dkt. 34 (June 7, 2022).

17. Attached as **Exhibit 16** is a true and correct copy of Samsung's Opening Appellate Brief from *Netlist, Inc. v. Samsung Elecs. Co.*, Case Nos. 22-5209 and 22-55247 (9th Cir. 2022).

18. Attached as **Exhibit 17** is a true and correct copy of Netlist's Opposition to Samsung's Motion to Stay from *Netlist, Inc. v. Samsung Elecs. Co.*, Case No. 2:21-cv-463, Dkt. 86 (redacted).

19. Attached as **Exhibit 18** is a true and correct copy of an email from Google's counsel to Netlist's counsel dated September 26, 2022.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on October 4, 2022, in Los Angeles, California.

By /s/ Jason G. Sheasby  
Jason G. Sheasby